

From: Redman
To: Microsoft ATR
Date: 1/23/02 4:10pm
Subject: Microsoft Settlement

The settlement is clearly not in the public's interest. I've listed some of the key problems below:

The proposed settlement:

- 1) does not prevent Microsoft from bundling application software into its operating system. Illegal bundling and tying practices are not in the proposed settlement.
- 2) relies too heavily on equipment manufacturers to promote more competition.
- 3) does not cover the new generation of applications. Since the settlement applies only to products that were in use from 1995-98, it won't stop Microsoft from repeating anti-competitive practices with current and future products. By simply re-packaging old software, they can continue past practices.
- 4) lets Microsoft decide which products are part of the Windows operating system and which are applications. Many Microsoft applications have been integrated into the OS in the past, blocking competitive applications, and the proposed settlement will still allow this.
- 5) gives Microsoft control over many enforcement decisions, essentially putting them charge of the keys to the safe!
- 6) would not require Microsoft to comply with computer industry standards, or prevent the company from undermining or altering standards, even when the intent is to deliberately deceive competitors.
- 7) would allow Microsoft to disable competitive software products, effectively sabotaging any competition.

Secret hardware specifications are not in general Microsoft's doing, but they are a significant obstacle for the development of the free operating systems that can provide competition for Windows. Require Microsoft not to certify any hardware as working with Microsoft software, unless the hardware's complete specifications have been published, so that any programmer can implement software to support the same hardware.

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